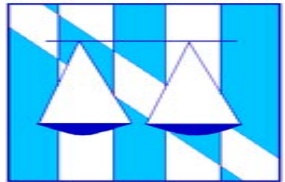


Consumers' Guide to *MEDIATION SERVICES IN MARYLAND*



**Maryland Legal
Services Corporation**



**Mediation and Conflict
Resolution Office**

***Edition No. 1
2003***

Updated information can be found at www.peoples-law.org

This guide is the result of a collaborative partnership between the Maryland Judiciary's Mediation and Conflict Resolution Office (MACRO) and the Maryland Legal Services Corporation (MLSC) to provide consumers statewide with a resource for finding mediation programs. Updated annually, the guide provides useful information about mediation and how consumers can use mediation to manage and resolve conflicts in everyday life.

MACRO is a small court-related agency created and chaired by Hon. Robert M. Bell, Chief Judge of the Maryland Court of Appeals. MACRO works collaboratively with stakeholders to help develop, support and expand conflict resolution services and education in courts, communities, schools, state and local government agencies, criminal and juvenile justice programs, family services programs and businesses, while promoting quality assurance in mediation statewide. MACRO provides information about conflict resolution and increases public awareness about mediation, its uses, and its benefits.

Established by the Maryland General Assembly in 1982, MLSC operates as a foundation, receiving funds from the General Assembly, Judiciary, interest on lawyer trust account program, and other sources, and making grants to nonprofit organizations that provide legal assistance to lower income persons in civil matters. MLSC conducts research and promotes demonstration projects to help establish effective and efficient approaches to provide access to justice and resolve disputes. The Corporation is governed by a 9-member Board of Directors appointed by the Governor and confirmed by the Maryland Senate. MLSC currently makes grants totaling approximately \$6.1 million annually to 28 organizations that provide legal assistance in about 110,000 cases annually.

Funded by MACRO, the consumers' guide was prepared by Daniel Kirkbride Miller, of the mediation firm of Miller and Obayashi, LLC, Robert J. Rhudy, MLSC's Executive Director, Jonathan S. Rosenthal, MACRO's Court ADR Resources Director, and Rachel Wohl, MACRO's Executive Director.

This guide is not a directory of private mediators or private mediation firms. For assistance finding private mediators, or for an electronic version of this guide, visit the Peoples Law Library (PLL), online at www.peoples-law.org. A project of MLSC, the Peoples Law Library is a legal information website supported by Maryland's 28 non-profit legal services providers, in partnership with the courts.

For more information, please call MACRO, 410-321-2398, or visit MACRO online at www.courts.state.md.us/macro.

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MEDIATION HELPS PEOPLE IN CONFLICT

You have a choice when you need help to resolve a dispute. Mediation provides a way for people to make their own decisions without fighting. Mediation programs exist for court cases and for disputes not taken to court. This Guide can be used as a resource for you to find mediation programs around the state and in your community. Whether you have neighborhood, family, business, workplace, or other disputes, there may be a mediation program that is right for you.

The first part of the Guide gives you the information about where mediation programs exist around the state and in your county. In the back of the guide you can find additional information about mediation and the resources available to you.

WHAT IS MEDIATION?

Mediation is a process in which a trained neutral, a mediator, helps people in a dispute communicate and understand each other, and if possible, to reach agreement.

MEDIATION IS VOLUNTARY

Unless ordered by a court, mediation is a voluntary process that the participants must be willing to try. In all mediations, even those ordered by a court, if the participants cannot come up with a solution that meets their needs, they cannot be forced to agree to anything. Agreements reached in mediation are only final when all of the participants are satisfied and willing to sign their names to the agreement.

MEDIATION IS CONFIDENTIAL

Mediation is a confidential process, which means that anything discussed in mediation cannot be used in court. There are a few

exceptions when it comes to child abuse or imminent harm to a person, but any discussions and, if the all parties choose, some agreements reached can be kept confidential.

MEDIATION LETS YOU DECIDE

Mediation revolves around the principle of self-determination. That means that the participants decide what solutions will work for them. The mediator does not act as a judge. The mediator remains neutral throughout the process and will not give legal advice or make decisions about the dispute.

WHAT IS THE COST?

The cost of mediation varies depending on the program. In some court, government, and community programs, the service will be free or based on a sliding fee scale. In other courts and in private mediations, the cost likely will be on an hourly basis and it is often divided by the participants.

OTHER BENEFITS OF MEDIATION

Mediation often saves the participants time and money.

Participants report high rates of satisfaction because they are directly involved in creating solutions.

Mediation encourages the participants to explore creative options for resolution that may not be considered without going through the mediation process.

In some cases, mediation helps repair relationships.

In mediation you do not risk being a loser. It is a win/win process, where all of the participants must be satisfied with any agreement reached.

Even if the participants do not reach a full agreement, many report that they still benefitted from going to mediation. They may reach a partial settlement of their dispute, streamline the issues in their dispute, or at least have a better understanding of each other's issues and perspectives.

No rights are given up by the participants. If mediation does not end their dispute, they still have all other avenues for resolution available to them.

FOR MORE INFORMATION on **MEDIATION**, please review the material at the end of this guide, beginning on page 53.

MEDIATION SERVICES IN MARYLAND

This Guide provides you with mediation resources available to you throughout the State of Maryland. The resources are listed in a “Statewide” section and a “County by County” section.

The guide will be updated on an annual basis. If services are not listed for a particular county, call MACRO for referral to the nearest service provider.

STATEWIDE SERVICES

This section includes mediation programs that are available to citizens in Maryland. Some of these services have centralized or regional offices, while others are available on a local basis.

MARYLAND MEDIATION AND CONFLICT RESOLUTION OFFICE MACRO

MACRO is an agency of the Maryland Judiciary, created and chaired by the Honorable Robert M. Bell, Chief Judge of the Maryland Court of Appeals. MACRO serves as a dispute resolution resource for the state, supports innovative conflict resolution programs, and promotes appropriate dispute resolution in every field. MACRO works collaboratively with stakeholders statewide to help establish, expand, and evaluate conflict resolution services and education in courts, communities, schools, state and local government agencies, criminal and juvenile justice programs, family services programs, and businesses; and to promote quality assurance in mediation throughout Maryland. MACRO also serves as an information clearinghouse for the public, increasing public awareness and providing information and assistance with regard to the use and benefits of mediation and other conflict resolution processes.

For more information, contact:

Rachel Wohl, Executive Director	410-321-2398
Lou Gieszl, Deputy Executive Director	fax: 410-321-2399
Jonathan Rosenthal, Courts ADR Resources Director	
113 Towsontown Boulevard	
Suite C	e-mail: lou.gieszl@courts.state.md.us
Towson, Maryland 21286	website: www.courts.state.md.us/macro

COURTS

CIRCUIT COURTS

The Circuit Courts of Maryland, located in all 23 counties and Baltimore City, are the trial courts of general jurisdiction. They generally handle major civil cases and more serious criminal matters, as well as family and juvenile cases, appeals from the District Courts, Orphan’s Courts, and administrative hearings, and all jury trials.

Please see the “County by County” listings for information on the circuit court in your county. Each circuit court has a family mediation program for custody and visitation cases. Some also have mediation programs for marital property (divorce) issues, and other civil cases such as contract cases, personal injury cases, employment cases, etc. Please check your county’s listing.

DISTRICT COURT of MARYLAND

The District Court of Maryland has 34 locations throughout the state and hears civil cases up to \$25,000, as well as landlord/tenant cases, peace orders, motor vehicle violations, misdemeanors, and limited felonies. There are no jury trials in the District Court; all cases are decided by a judge.

Each district court location offers unique alternative dispute resolution programs for cases within the court, and all programs are free to the participants. In the **mediation programs**, the mediator helps the participants reach a mutually agreeable resolution without evaluating the facts for them. In **facilitation programs**, the facilitator may use evaluation to assist the participants with settling the case.

For more details about the district court programs in your area, please check the specific county listing. For general information about ADR programs in the District Court, contact:

Alice R. Rentschler	410-260-1676
Director of ADR Programs	fax 410-260-1217
911A Commerce Road	e-mail: alice.rentschler@courts.state.md.us
Annapolis, MD 21401	

Andrea Terry	410-836-4514
Regional ADR Coordinator	fax 410-836-4530
2 South Bond Street	e-mail: andrea.terry@courts.state.md.us
Bel Air, MD 21014-3737	

COMMUNITY MEDIATION

MARYLAND ASSOCIATION OF COMMUNITY MEDIATION CENTERS (MACMC)

For a specific Community Mediation Program in your area, please check the county listings in the next section.

The Maryland Association of Community Mediation Centers (MACMC) is a non-profit association of Maryland's 15 community mediation centers. Community Mediation helps people reach agreements, rebuild relationships, and find permanent solutions to their disputes.

Community mediation strives to:

- (1) train community members--who reflect the community's diversity with regard to age, race, gender, ethnicity, income and education--to serve as volunteer mediators;
- (2) provide mediation services at no cost or on a sliding scale;
- (3) hold mediation sessions in the communities where the disputes occur;
- (4) schedule mediation sessions at a time and place convenient to the participants;
- (5) encourage early use of mediation to prevent violence or to reduce the need for court intervention, as well as provide mediation at any stage in a dispute;
- (6) mediate community-based disputes that come from referral sources including self-referrals, police, courts, community organizations, civic groups, religious institutions, government agencies and others;
- (7) educate community members about conflict resolution and mediation;
- (8) maintain high quality mediators by providing intensive skills-based training, apprenticeships, continuing education and ongoing evaluation of volunteer mediators;
- (9) work with the community in governing community mediation programs in a manner that is based on collaborative problem solving among staff, volunteers and community members;

Disputes appropriate for community mediation include, but may not be limited to:

- Inter-personal disputes (including assaults, harassment, love triangles, and friendships turned sour)
- Neighborhood disputes (such as noise, property, animals, lifestyle differences, and neighborhood association conflicts)
- Family disputes (such as parent-teen conflicts, and sibling disputes)
- Landlord-tenant disputes
- Business disputes (including disputes between small businesses and residents)

Some community mediation programs are free while others operate on a sliding fee scale. While many Maryland jurisdictions have community mediation programs, some do not. If your county does not have a program and you are interested in getting information about starting one in your area, call Nick Beschen at MACMC.

Nick Beschen
Executive Director

410-349-0080
fax: 410-349-0083

MD Association of Community Mediation Centers
1517 Ritchie Highway
Suite L 7
Arnold, MD 21012

e-mail: macmc@marylandmediation.org
web site: www.marylandmediation.org

CONSUMER DISPUTES

ATTORNEY GENERAL'S OFFICE CONSUMER PROTECTION DIVISION

Consumer Protection Division
Office of the Attorney General
200 St. Paul Place, 16th Floor
Baltimore, MD 21202

Complaint hotline:
Attorney General's main switchboard (toll-free):

410-528-8662
1-888-743-0023

e-mail: consumer@oag.state.md.us
web site: www.oag.state.md.us/Consumer/index.htm

The Mediation Unit of the Consumer Protection Division of the Attorney General's Office handles complaints against businesses. Complaints are handled by volunteer mediators, over the telephone, in the order in which they are received by the office. The mediators call businesses and consumers to help resolve conflicts. This is a free service.

If the mediation efforts aren't successful, the Division offers a free binding arbitration service designed to cut red tape and resolve disputes quickly.

(If you are having a billing dispute with hospitals, doctors, insurance companies and other health care providers, contact the Attorney General's Health Education and Advocacy Unit. 410-528-1840 or toll-free 1-877-261-8807)

The Attorney General's Consumer Protection Division has four offices statewide, and two regional telephone hot lines.

Baltimore

200 St. Paul Place
Baltimore, MD 21202

8:30 a.m. to 4:30 p.m., Monday - Friday
410-576-6550

Consumer Mediation Unit hotline
Medical billing complaints hotline
Health plan decision appeals hotline

410-528-8662
410-528-1840
1-877-261-8807

e-mail: consumer@oag.state.md.us

Eastern Shore Office

201 Baptist Street
Salisbury, MD 21801

8:30 a.m. to 4:30 p.m., Monday - Friday
410-543-6620

Western Maryland Office

138 East Antietam St.
Hagerstown, MD 21740

8:30 a.m. to 4:30 p.m., Monday - Friday
301-791-4780

Southern Maryland Office

15045 Burnt Store Road
Hughesville, MD 20637

9:30 a.m. to 2:30 p.m., Tuesdays
301-274-4620
or toll-free 1-866-366-8343

Mailing address: P.O. Box 745, Hughesville, MD 20637

Cumberland Telephone Assistance

301-722-2000
9 a.m. to 12 p.m., 3rd Tuesday of the month

Frederick Telephone Assistance

301-694-1071
9 a.m. to 1 p.m., 2nd and 4th Thursday of the month

BETTER BUSINESS BUREAU

The Better Business Bureau of Greater Maryland offers free and low cost mediation, arbitration, and custom dispute resolution programs for a variety of business-to-business and consumer-to-business disputes. Information about BBB mediator and arbitrator training by the Council of Better Business Bureaus, Inc., can be found on-line at www.bbb.org. For more information, contact:

Barbara G. Enders 410-347-3990
Director, BBB Mediation and Arbitration fax 410-347-3936
Better Business Bureau of Greater MD, Inc. e-mail: benders@bbbmd.org
1414 Key Highway, Suite 100 web site: www.baltimore.bbb.org
Baltimore, MD 21230

STATE GOVERNMENT PROGRAMS

OFFICE OF ADMINISTRATIVE HEARINGS

The Office of Administrative Hearings (OAH) was authorized by legislation in 1989 to handle the increasing volume and complexity of administrative hearings involving State agencies. The mission of the OAH is to provide flexible due process for any person affected by the action or proposed action of State agencies. Flexible due process means that each person has a fair opportunity to be heard and the complexity of the hearing varies according to the nature of the case. Cases are heard throughout the state.

The OAH has created greater efficiency in the hearing process by offering mediation to resolve some cases. For more information about the OAH mediation program, please contact:

Quality Assurance Department 410-229-4121
Office of Administrative Hearings 1-800-388-8805
Administrative Law Building fax: 410-229-4111
11101 Gilroy Road
Hunt Valley, MD 21031-1301 web site: www.oah.state.md.us

DISCRIMINATION & WORKPLACE DISPUTES

MARYLAND COMMISSION ON HUMAN RELATIONS

The Maryland Commission on Human Relations provides mediation services for discrimination disputes in the following areas: employment; housing; public accommodations; state services; institutional health care; and businesses licensed by the Department of Labor, Licensing and Regulation. The mediation services are provided free of charge.

Main Office, Baltimore:

Tara Letwinsky, Mediation Director 410-767-6459
William Donald Schaefer Building 1-800-637-6247
6 Saint Paul Street, 9th Floor fax: 410-333-1841
Baltimore, Maryland 21202-1631 e-mail: tletwinsky@mail.mchr.state.md.us
Web site: www.mchr.state.md.us

Eastern Shore Offices:

310 Gay Street, 2nd Floor 410-221-2565
Cambridge, Maryland 21613 fax: 410-221-2566

Salisbury District Court Multi-Purpose Center 410-548-3243
201 Baptist Street, Suite 33 fax: 410-334-3455
Salisbury, Maryland 21801

Southern Maryland Office:

Joseph D. Carter Center 301-475-4118
P.O. Box 653 fax: 301-475-4119
Leonardtown, Maryland 20650

Western Maryland Office:

Potomac Plaza 301-797-8521
44 N. Potomac Street, Suite 103 fax: 301-791-3060
Hagerstown, Maryland 21740

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Marie Sciscione 410-962-6606
ADR Coordinator fax: 410-962-3706
City Crescent Building e-mail: marie.sciscione@eeoc.gov
10 South Howard Street, 3rd Floor web site: www.eeoc.gov
Baltimore, Maryland 21201

The U. S. Equal Employment Opportunity Commission's District office provides mediation, free of charge, for employment discrimination disputes in which a complaint has been filed under Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act, and the Americans with Disabilities Act of 1990. If no agreement is reached, the investigative process continues. Agreements reached in mediation are considered binding contracts.

PRIVATE MEDIATORS

Private mediators are available around the state. You can find private mediators by looking in the yellow pages under the heading “mediators,” or by doing a search online at the People’s Law Library of Maryland web site at www.peoples-law.com. If you would like a hard copy of a directory of mediators, call MACRO at 410-321-2398.

For more information about choosing a mediator, please see the appendix of this guide on page 57.

COUNTY BY COUNTY SERVICES

This section includes mediation or other alternative dispute resolution (ADR) programs that are available in each county and Baltimore City. Not all programs are available in each county, and some contact information may refer you to a person or program in a neighboring county.

Disclaimer: We have included accurate information to the best of our ability. If you spot an error, or some information has changed, or you have additional information, please call us at 410-321-2398 or e-mail us at:

e-mail: jonathan.rosenthal@courts.state.md.us

web site: www.courts.state.md.us/macro

ALLEGANY COUNTY

CIRCUIT COURT

CIVIL (NON-FAMILY) MEDIATION PROGRAM

Anne M. SanGiovanni 301-777-2261
Non-Family Civil Mediation Coordinator
30 Washington Street anne.sangiovanni@courts.state.md.us
Cumberland, MD 21502

Civil (non-family) Mediation - The court keeps a list of approved mediators and cases are referred to one of those mediators, unless the parties can agree on a mediator of their choosing. Workers' Compensation appeals and motor tort cases are referred to mediation automatically. Mediation is available in other cases upon request. The cost is \$100.00 per hour and sessions cannot last more than 2 hours unless by agreement of the participants. The participants divide the cost and pay the mediators directly.

FAMILY MEDIATION PROGRAMS

Linda A. Pecoraro 301-777-2102
Family Support Services Coordinator
30 Washington Street lpecoraro@court.state.md.us
Cumberland, MD 21502

Custody/Visitation Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The court keeps a list of approved mediators; cases may be referred to one of those mediators or the participants may choose their own mediator. The cost is \$80/hr, split by the parties, but a waiver program and sliding scale is available.

Marital Property (Divorce) Mediation - Parties may request marital property mediation or they may be referred by the court. The cost is \$80/hr split between the participants.

CINA mediation program (child in need of assistance) is being developed.

COMMUNITY MEDIATION

The nearest community mediation program is in Washington County. Please see Washington County for the contact information. If you want information about starting a community mediation program in Allegany County, please call Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers (MACMC), at 410-349-0080.

DISTRICT COURT

Edward Hagen 301-777-2105
District Court Law Clerk Fax 301-759-3914
3 Pershing Street, 2nd floor
Cumberland, MD 21502-3045

Civil Mediation Day of Trial - A mediator meets with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

Civil Facilitation Day of Trial - Volunteer facilitators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at facilitation, the trial goes forward. This program is provided at no cost to the participants.

ANNE ARUNDEL COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAMS

Jennifer Cassel 410-222-1448
Family Law Administrator jcassel@circuitcourt.org
P. O. Box 2395
Annapolis, MD 21404

Holly Hutchins 410-222-1448
Family Support Services Coordinator cthutc00@mail.aacounty.org
P. O. Box 2395
Annapolis, MD 21404

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The cases are referred to court-approved mediators. Participants attend at least two, 2 hour sessions. Each participant pays \$125 per two-hour session. Fee waiver is available.

Marital Property (Divorce) Mediation - Referred to court approved mediators. Participants attend at least one, 2 hour session. Each participant pays \$150 per two-hour session. Fee waiver is available.

Emergency Mediation - This program provides emergency intervention for participants in crisis; results are reported to Court the same day. This service is available only at the discretion of a judge or master, and not upon request of a party to a case.

COMMUNITY MEDIATION PROGRAM

Linda Deming 410-266-9033
Executive Director e-mail: AACRC.mediate@annapolis.net
Anne Arundel Conflict Resolution Center web site: www.aacrc-md.org
2666 Riva Road
Suite 130
Annapolis, MD 21401

Offers low-cost mediation services on a sliding scale for a wide variety of interpersonal conflicts and neighborhood-based disputes. Recruits and trains volunteers

from the community who serve as mediators and represent the diversity of the neighborhoods they serve. Conducts outreach to help raise awareness of mediation and its uses at the community level. Also offers parenting plan mediation for parents who do not live together, and offers parent-teen mediation services using adult and teenage co-mediators.

DISTRICT COURT

Vanessa Queen 410-260-1676
Administrative Assistant Fax 410-260-1217
911A Commerce Road
Annapolis, MD 21401

Civil Mediation Pre-trial - Cases are sent to the local community mediation center for mediation before the hearing date. This program is provided at no cost to the participants.

Civil Mediation Day of Trial - Volunteer mediators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

Peace Order Mediation - Cases may be referred to the local community mediation center or to volunteer mediators prior to the second hearing, at the time of the second hearing, or after the second hearing. This program is provided at no cost to the participants.

STATE'S ATTORNEY'S OFFICE MEDIATION PROGRAM

(for certain criminal misdemeanor cases)

Nancy Hirshman 410-260-1870 or 1872
Director/ Mediation Center
Annapolis District Court
251 Rowe Boulevard
Suite 332
Annapolis, MD 21401 e-mail: sahirs36@mail.aacounty.org
web site: www.statesattorney-annearundel.com/mediation.htm

This mediation program is a free service provided by the State's Attorney's Office of Anne Arundel County for misdemeanor cases it deems appropriate, such as:

- some minor criminal charges; trespass, telephone abuse, malicious destruction of property, certain types of assault, etc., before trial, and;
- intra-family disputes in which current or former spouses, boy/girlfriends, siblings, parents, or extended family members are involved in domestic difficulties, and;
- incidents arising out of a multitude of neighbor vs. neighbor disputes prior to criminal charges being filed.

BALTIMORE CITY

CIRCUIT COURT

CIVIL (NON-FAMILY) MEDIATION PROGRAM

Marilyn Bentley 410-396-3045
 ADR Coordinator marilyn.bentley@courts.state.md.us
 Circuit Court for Baltimore City www.baltocts.state.md.us/civil/adr.htm
 Room 401
 111 N. Calvert Street
 Baltimore, MD 21201

Civil (non-family) Mediation Program - The court keeps a list of approved mediators; cases may be referred to one of those mediators or participants may choose their own mediator if they can agree. The program includes the following categories of cases: business/commercial; contract; workers compensation; employment; environmental; and insurance. Mediators in the program may charge a fee of \$150 per hour per case, and the court only orders two hours of mediation, although the participants may agree to more. Professional malpractice claims may be mediated in a separate program at an increased cost. Fees are generally divided between the participants. Fee waivers are available for eligible mediation participants.

FAMILY MEDIATION PROGRAMS

T. Sue German 410-545-6220
 Family Division Coordinator sue.german@courts.state.md.us
 Circuit Court for Baltimore City
 111 North Calvert Street
 Room 333
 Baltimore, MD 21202

Child Access (Custody/Visitation Mediation) - Most cases involving custody and/or visitation issues are ordered to mediation. The program is run by Sheppard Pratt Community Education Programs. The cost is based on a sliding scale and a co-mediator, mixed gender mediation model is used.

TERMINATION OF PARENTAL RIGHTS (TPR) MEDIATION PROGRAM

Mary Maffezzoli 410-767-8691
 Administrator - Permanency Mediation Project 410-545-7317
 Circuit Court for Baltimore City mmaff@comcast.net
 217 Clarence Mitchell Courthouse
 110 N. Calvert Street
 Baltimore, MD 21202

Child Centered Permanency Mediation Project - Mediation between birth parents and potential foster or adoptive parents is provided at no cost prior to the termination of parental rights hearing.

COMMUNITY MEDIATION

Lisa Johnson Peet, Executive Director 410-467-9165
 Community Mediation Program info@communitymediation.org
 3333 Greenmount Avenue www.communitymediation.org/topics.html
 Baltimore, MD 21218

The Community Mediation Program (CMP) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. CMP recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the community level. CMP also offers parenting plan mediation for parents who do not live together, and offers parent-teen mediation services using adult and teenage co-mediators.

DISTRICT COURT

Andrea C. Terry 410-836-4514
 Regional ADR Coordinator andrea.terry@courts.state.md.us
 2 South Bond Street
 Bel Air, MD 21014

Civil Mediation Pre-trial - Cases are sent to the Community Mediation Program (see above) or to the University of Maryland School of Law Mediation Clinic for mediation before the hearing date. This program is provided at no cost to the participants.

Civil Mediation Day of Trial - Volunteer mediators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

Peace Order Mediation - Cases may be referred to the Community Mediation Program prior to the second hearing, at the time of the second hearing, or after the second hearing. This program is provided at no cost to the participants.

BALTIMORE COUNTY

CIRCUIT COURT

CIVIL (NON-FAMILY) MEDIATION PROGRAM

Richard P. Abbott 410-887-3233
Differentiated Case Management/ADR Coordinator
Circuit Court for Baltimore County
County Courts Building
401 Bosley Avenue
Towson, MD 21204 e-mail: rabbott@co.ba.md.us
web site: www.co.ba.md.us/Agencies/circuit/mediation/civilmed.html

Civil (non-family) Mediation Program - The court keeps a list of approved mediators; cases may be referred to one of those mediators or the participants may choose their own mediator. The court currently refers most contract and workers' compensation cases, and some personal injury cases (motor torts and medical malpractice excluded) to mediation. All participants to the dispute must be represented by an attorney for the case to be referred to mediation. The cost of the mediation program is \$150 per hour, which is divided by the participants. The court has set a maximum of two (2) hours for a mediation conference, unless all participants agree to a longer period of time.

CIVIL FAMILY MEDIATION PROGRAMS

Aza Howard Butler 410-887-6578
Director - Mediation and Custody Division
Circuit Court for Baltimore County
401 Bosley Avenue
Room 509
Towson, MD 21204 e-mail: abutler@co.ba.md.us
web site: www.co.ba.md.us/Agencies/circuit/family/index.html

Mark Urbanik 410-887-8614
Family Support Services Coordinator murbanik@courts.state.md.us
Circuit Court for Baltimore County
401 Bosley Avenue
Room 338
Towson, MD 21204

Child Access (Custody/Visitation) Mediation - Conducted by Custody and Mediation Division of the Court with mediators who are on staff. This service is free to participants with cases in the court system.

Child Dependency Mediation - For cases in the Baltimore County Circuit Court, the court provides mediation for CINA (children in need of assistance) and TPR (termination of parental rights) cases using specially trained mediators. Mediation may involve birth parents, adoptive/foster parents, attorneys, social workers, CASA and children. This service is free to participants.

COMMUNITY MEDIATION PROGRAM

Barrington Stone, Director 410-391-7681
Resident Mediation Program residentmediationprogram@hotmail.com
1612 Gail Road, #2
Baltimore, MD 21221

The Resident Mediation Program (RMP) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. RMP recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the community level.

POLICE SPONSORED MEDIATION PROGRAM

Linda Mabry
Baltimore County Mediation Program
700 E. Joppa Road
Towson, MD 21286

410-887-5871

The Baltimore County Mediation Program (BCMP) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. These include disagreements among neighbors, disputes over property, animal complaints, boundaries, noise complaints and civil disputes, and conflicts referred by criminal justice and social service agencies. Felony offenses and spousal abuse cases are excluded. BCMP provides direct service using volunteer mediators.

DISTRICT COURT

Andrea C. Terry
Regional ADR Coordinator
2 South Bond Street
Bel Air, MD 21014

410-836-4514

andrea.terry@courts.state.md.us

In Baltimore County, the programs run in both Towson and Catonsville.

Civil Mediation Pre-trial - Cases are sent to mediators at the Office of Administrative Hearings or to volunteer mediators for mediation before the hearing date. This program is provided at no cost to the participants.

Civil Mediation Day of Trial - Volunteer mediators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

CALVERT COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAM

Patricia M. Veitch
Family Support Services Coordinator
Circuit Court for Calvert County
175 Main Street
Prince Frederick, MD 20678

410-535-1600

patricia.veitch@courts.state.md.us

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. Participants are ordered to two sessions (if necessary) and the Court has a panel of mediators. The cost of the program is \$55 per hour per person, and the Court has a fee waiver program available for eligible participants.

Marital Property (Divorce) Mediation - Cases are referred to a list of court approved mediators or in some cases to retired judges. The mediators set their own fees.

COMMUNITY MEDIATION

The nearest community mediation programs are in St. Mary's or Anne Arundel Counties. Please see those listings for the contact information. If you want information about starting a community mediation program in Calvert County, please call Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers (MACMC), at 410-349-0080.

DISTRICT COURT

Vanessa Queen
Administrative Assistant
911A Commerce Road
Annapolis, MD 21401

410-260-1676

Fax 410-260-1217

Civil Mediation Day of Trial - Volunteer mediators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

CAROLINE COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAM

John Cambardella 410-479-4162
Family Support Services Coordinator john.cambardella@courts.state.md.us
Circuit Court for Caroline County
109 Market St.
Denton, MD 21629

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The Court maintains a list of approved domestic mediators. The Court may order participants to attend up to two mediation sessions (four, if good cause is shown and it is recommended by the mediator). Court ordered mediation costs each participant \$100 per session (usually two hours). Eligible participants may apply for financial assistance through the Family Services Program.

COMMUNITY MEDIATION

The nearest community mediation program is in Kent County. Please see Kent County for the contact information. If you want information about starting a community mediation program in Caroline County, please call Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers (MACMC), at 410-349-0080.

DISTRICT COURT

There currently is no ADR program in the District Court in Caroline County.

CARROLL COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAMS

Powel Welliver 410-386-2401
Family Law Administrator pwelliver@ccg.carr.org
Circuit Court for Carroll County
55 N. Court Street
Room 248
Westminster, MD 21157

Child Access (Custody/Visitation) Mediation - Cases involving custody and/or visitation issues are ordered to mediation, unless there is a genuine issue of physical or sexual abuse of a party or child. The Court uses five court-approved mediators, including one staff mediator. Each participant pays the mediator \$70 for one hour of a two hour session. Mediation fees may be reduced or waived for income qualifying participants.

Marital Property (Divorce) Mediation - By agreement of the participants, mediation of property, alimony, pension and child support issues by court-approved mediators. Mediators fees are split by the participants. No fee waiver is available.

STATE'S ATTORNEY'S OFFICE MEDIATION PROGRAM

Latisha D. Mayne, LSWA 410-386-2174
Office of the State's Attorney for Carroll County lmayne@ccg.carr.org
Suite 100 www.carr.org/stateatt/mediate.htm
55 North Court Street
P.O. Box 606
Westminster, MD 21158-0606

Criminal Mediation Program - The State's Attorney's Office screens cases appropriate for mediation and has an in-house mediator to mediate those matters.

COMMUNITY MEDIATION

JoAnne Kreider
Community Mediation Program
Carroll County Youth Service Bureau
332 - 140 Village Road, JCK Center
Westminster, MD 21157

410-876-2500
lambjoy@hotmail.com
ccysb@carr.org

The Community Mediation Program (CMP) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. CMP recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the community level.

Parent/Teen Mediation Project - Teenage and adult co-mediators assist teenagers and adults to resolve disputes. Referrals from Dept. of Juvenile Justice, police, public, etc. This service is provided free of charge.

DISTRICT COURT

There currently is no ADR program in the District Court in Carroll County.

CECIL COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAMS

Rose Baxter
Family Support Services Coordinator
Circuit Court for Cecil County
129 E. Main Street
Elkton, MD 21921

410-996-1157
rose.baxter@courts.state.md.us

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The Court uses six court-approved mediators who practice in the community.

Child Access (Custody/Visitation) Facilitation - This court-based service is performed by consent of the parties or by Court order, sometimes at the time or a previously scheduled hearing. Participants are assisted in developing a temporary or permanent parenting plan by mental health professional staff of the Office of Family Court Services. A hearing is scheduled for participants who do not reach agreement. The content of the facilitation is *not* confidential to the Court. There is no fee for facilitation services.

Marital Property (Divorce) Mediation - Mediation of property, alimony, pension, and other financial issues occurs upon consent of all participants. Cases are referred to three court-approved attorneys who practice in Cecil County and surrounding counties.

COMMUNITY MEDIATION

The nearest community mediation programs are in Harford and Kent Counties. Please see Harford or Kent County for the contact information. If you want information about starting a community mediation program in Cecil County, please call Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers (MACMC), at 410-349-0080.

DISTRICT COURT

There currently is no ADR program in the District Court in Cecil County.

CHARLES COUNTY

CIRCUIT COURT

CIVIL (NON-FAMILY) MEDIATION PROGRAM

Sharon Dodgins
ADR Coordinator
Circuit Court for Charles County
P.O. Box 970
La Plata, MD 20646

301-932-3299
sharon.dodgins@courts.state.md.us

Civil Mediation Program - The court keeps a list of approved mediators; cases may be referred to one of those mediators or the participants may choose their own mediator if they can agree. The participants pay the mediator directly, at the rate of \$150 per hour, divided equally between the participants. Eligible participants may qualify for assistance.

FAMILY MEDIATION PROGRAM

Ann McFadden 301-932-3426
Family Support Services Coordinator ann.mcfadden@courts.state.md.us
Circuit Court for Charles County
P.O. Box 3000
La Plata, MD 20646

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The Court's list of private, court-approved mediators is available to the participants. The fee is \$50 per person, per session, and a session usually lasts two hours. Additional sessions remain at the same rate. Services are handicap accessible and telephone conferencing is available.

Marital Property (Divorce) Mediation - The court keeps a list of approved mediators; cases may be referred to one of those mediators or the participants may choose their own mediator. The parties may request mediation or the court may initiate mediation. The participants pay the mediator directly, at a rate of \$150.00 per hour, divided equally between the participants.

COMMUNITY MEDIATION

The nearest community mediation program is in St. Mary's County. Please see St. Mary's County for the contact information. If you want information about starting a community mediation program in Charles County, please call Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers (MACMC), at 410-349-0080.

DISTRICT COURT

Vanessa Queen 410-260-1676
Administrative Assistant Fax 410-260-1217
911A Commerce Road
Annapolis, MD 21401

Civil Mediation Day of Trial - Volunteer mediators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

Civil Facilitation Day of Trial - Volunteer facilitators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at facilitation, the trial goes forward. This program is provided at no cost to the participants.

DORCHESTER COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAM

Amy Craig 410-228-1395
Family Support Services Coordinator acdorfamily@hotmail.com
Circuit Court for Dorchester County
206 High Street, Room 203
P.O. Box 583
Cambridge, MD 21613

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The Court offers mediation from a court approved list of providers. The fee is \$65 per hour, per person and the court usually orders two sessions lasting two hours each.

Marital Property (Divorce) Mediation - Some cases involving marital property issues are referred to mediation. The Court offers mediation from a court approved list of providers. The fee is \$65 per hour, per person and the court usually orders two sessions lasting two hours each.

COMMUNITY MEDIATION PROGRAM

The nearest community mediation program is in Wicomico County. Please see Wicomico County for the contact information. If you want information about starting a community mediation program in Dorchester County, please call Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers (MACMC), at 410-349-0080.

DISTRICT COURT

There currently is no ADR program in the District Court in Dorchester County.

FREDERICK COUNTY

CIRCUIT COURT

CIVIL (NON-FAMILY) MEDIATION PROGRAM

Jenny Bern
ADR Coordinator
Circuit Court for Frederick County
100 West Patrick Street
Frederick, MD 21701

301-694-1467
Fax 301-846-2226
jennifer.bern@courts.state.md.us

Civil Mediation Program - The court keeps a list of approved mediators; cases may be referred to one of those mediators or, if they agree, the participants may choose their own mediator. The participants pay the mediator directly, and the cost is \$150 per hour, and a session usually lasts two hours.

FAMILY MEDIATION PROGRAM

JoAnne Rupert Hockman
Family Support Services Coordinator
Circuit Court for Frederick County
100 W. Patrick Street
Frederick, MD 21701

301-694-2023
joanne.hockman@courts.state.md.us

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The Court provides an approved

list of mediators. The cost is \$100 per person, per session, and fee waiver is available to eligible participants. The Court orders two sessions lasting two hours each.

Marital Property (Divorce) Mediation - Some cases involving marital property issues such as real property, alimony, pension, etc., are ordered to mediation. The Court has an approved list of mediators. The cost is \$100 per person, per session. The Court orders two sessions lasting two hours each, and the mediation may be continued by agreement of the participants.

COMMUNITY MEDIATION

Kate Palmisano
Executive Director
CALM, The Frederick Mediation Center
723 North Market Street
Frederick, MD 21701

301-631-2256
mpalmis225@aol.com

CALM offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. CALM recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program also conducts outreach to help raise awareness of mediation and its uses at the community level.

DISTRICT COURT

Vanessa Queen
Administrative Assistant
911A Commerce Road
Annapolis, MD 21401

410-260-1676
Fax 410-260-1217

Civil Mediation Day of Trial - Volunteer mediators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

Civil Facilitation Day of Trial - Volunteer facilitators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at facilitation, the trial goes forward. This program is provided at no cost to the participants.

GARRETT COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAM

Randy Whitaker 301-334-7602
Family Support Services Coordinator
Circuit Court for Garrett County
203 South Fourth Street
Oakland, MD 21550

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. Mediation is provided by private contractual provider. The mediation costs \$100 an hour with a maximum of two hours, and the fees are usually divided between the parties.

COMMUNITY MEDIATION

The nearest community mediation program is in Washington County. Please see Washington County for the contact information. If you want information about starting a community mediation program in Garrett County, please call Nick Beschen at 410-349-0080.

DISTRICT COURT

There currently is no ADR program in the District Court in Garrett County.

HARFORD COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAM

Karen Tracy 410-638-3038
Family Support Services Coordinator karen.tracy/cc/mdcourts@mdcourts
Circuit Court for Harford County
20 W. Courtland Street
Bel Air, MD 21014

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. Either family court services or private providers mediate disputes. Sliding scale fees are available.

Parent Access - The court provides special program for mediation, evaluation, facilitated visitation and parent education in child support/visitation cases. Services are free.

Dependency Mediation - The court provides mediation for CINA (children in need of assistance) and TPR (termination of parental rights) cases. Mediation may involve birth parents, adoptive/foster parents, attorneys, social workers, CASA and children. The court provides specially trained mediators, and the service is free to participants.

COMMUNITY MEDIATION

Jennifer Noffke, Program Coordinator 410-638-4807
Harford County Community Mediation Program janoffke@co.ha.md.us
Administrative Office Building
220 South Main Street
Bel Air, MD 21014-3865

The Harford County Community Mediation Program (HCCMP) offers free mediation services as part of the Community Services Department of Harford County Government. The program assists in a wide variety of inter-personal conflicts and neighborhood disputes, including, but not limited to, consumer, business, housing, family, court-related charges such as trespass, harassment, 2nd degree assault, etc. HCCMP does not handle divorce, custody, visitation agreements or domestic violence matters. The program recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. HCCMP conducts outreach to help raise awareness of mediation and its uses at the community level.

DISTRICT COURTS

Andrea C. Terry 410-836-4514
Regional ADR Coordinator andrea.terry@courts.state.md.us
2 South Bond Street
Bel Air, MD 21014

Civil Mediation Day of Trial - Volunteer mediators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

Peace Order Mediation - Cases are sent to mediation before the hearing date. This program is provided at no cost to the participants.

HOWARD COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAMS

Lisa Mohink
Family Support Services Coordinator
Circuit Court for Howard County
8360 Court Avenue
Ellicott City, MD 21043

410-313-2225
lsmohink@hotmail.com

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The Court offers mediation from a court approved list of providers. The cost is \$75 per person, per hour, and the court usually orders two sessions of two hours each. Fee waivers are available to eligible participants.

STATE'S ATTORNEY'S OFFICE MEDIATION PROGRAM

Jennifer Cathcart
Mediation Case Screener
Office of the State's Attorney for Howard County
District Court Division
3451 Courthouse Drive
Ellicott City, MD 20145

410-313-3024
Fax 410-313-3144

web site: www.co.ho.md.us/StatesAttorney/SAMain/SA_Homepage.asp

Criminal Mediation Program - The State's Attorney's Office reviews citizen complaints filed with the commissioner to identify and refer appropriate cases for mediation. Those cases are referred to the Mediation and Conflict Resolution Center at Howard Community College.

COMMUNITY MEDIATION

Tu Van Trieu, Director
Mediation and Conflict Resolution Center
at Howard Community College
10901 Little Patuxent Parkway
Columbia, MD 21044-3197

410-772-4620
Fax 410-772-4660
mcrc@howardcc.edu
www.howardcc.edu/mcrc

The Mediation and Conflict Resolution Center at Howard Community College (MCRC) offers mediation services for free or on a sliding scale for a wide variety of inter-personal conflicts and neighborhood-based disputes. MCRC recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the community level. MCRC also offers victim-offender mediation services in criminal cases.

DISTRICT COURT

Kim Wharton
ADR Coordinator
8451 Courthouse Drive
Ellicott City, MD 21043

410-313-2035
Fax 410-313-2032

Civil Facilitation Pre-trial - Volunteer facilitators assist the participants in trying to resolve their case before the hearing date. This program is provided at no cost to the participants.

Civil Facilitation Day of Trial - Volunteer facilitators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at facilitation, the trial goes forward. This program is provided at no cost to the participants.

KENT COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAMS

Rebecca K. Taylor 410-810-1059
Family Support Services Coordinator rebecca.taylor@courts.state.md.us
Circuit Court for Kent County
103 N. Cross St.
Chestertown, MD 21620

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The Court offers mediation from a court approved list. Mediators are paid \$100 per hour which is generally divided between the parties. If the mediation extends past four hours, and the participants want to continue, the mediators may charge their private hourly rate. Fee waivers and sliding scale fees are available to eligible participants.

COMMUNITY MEDIATION

Richard “Doc” McFeely, Director 410-810-9188
Chester Valley Community Mediation Services cvcms@friend.ly.net
P.O. Box 692
317 Cannon Street
Chestertown, MD 21620

Chester Valley Community Mediation Services (CVCMS) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. CVCMS recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the community level.

DISTRICT COURT

There currently is no ADR program in the District Court in Kent County.

MONTGOMERY COUNTY

CIRCUIT COURT

CIVIL (NON-FAMILY) MEDIATION PROGRAM

Susan M. Kalil 240-777-9108
Differentiated Case Management/ADR Coordinator skalil@mccourt.com
Circuit Court for Montgomery County
50 Courthouse Square, Room 307
Rockville, MD 20850

Civil ADR Program - The court keeps a list of approved ADR facilitators and retired judges; cases may be referred to one of those mediators or retired judges or the participants may choose their own mediator. The participants divide the cost for the mediation.

FAMILY MEDIATION PROGRAMS

Elaine Finnin 240-777-9061
Family Division Coordinator efinnin@mcc.court.com
Circuit Court for Montgomery County
50 Maryland Avenue
Rockville, MD 20850

www.montgomerycountymd.gov/mc/judicial/circuit/family/mediation.html

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. Mediators conduct two session mediation services at no cost to the participants. The mediators are “in-house” court personnel. A Spanish speaking mediator is also available.

Marital Property (Divorce) ADR - Private providers mediate property issues in family cases. The fees are set by the individual mediators.

Suzanne Schneider 240-777-9343
Juvenile Division Coordinator suzanne.schneider@mcccourt.com
Circuit Court for Montgomery County
50 Maryland Avenue
Rockville, MD 20850

Juvenile Mediation Program (Dependency Mediation) - Specially trained mediators are assigned by the court to assist the participants in these cases reach a collaborative agreement prior to trial. This program is free to participants.

COMMUNITY MEDIATION

Janet Kelly 240-314-8310
Human Rights and Community Mediation Administrator
Rockville Community Mediation Program msmith@ci.rockville.md.us
111 Maryland Avenue www.ci.rockville.md.us
Rockville, MD 20850-2364

The Rockville Community Mediation Program (RCMP) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. RCMP recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the community level.

Ruth Noel, Executive Director 301-585-6200
Takoma Park Mediation Program tpmp@zzapp.org
8513 Piney Branch Road
Takoma Park, MD 20901

The Tacoma Park Mediation Program (TPMP) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. TPMP recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the community level.

Merle Rockwell, Director 301-593-9473
Conflict Resolution Center of Montgomery Co. Fax 301-593-5424
421 St. Lawrence Drive CRCofMC@aol.com
Silver Spring, MD 20901-2626 www.crcmc.org

The Conflict Resolution Center of Montgomery County (CRCMC) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. CRCMC also accepts referrals from the District Court for day-of-trial and specially set cases. The program provides facilitators for community problem solving processes, community conferencing, and civic meetings. CRCMC

recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and other dispute resolution processes and their effectiveness and uses at the community level.

DISTRICT COURT

Carla Mamana 301-279-1551
ADR Liaison, Montgomery County carla.mamana@courts.state.md.us
27 Courthouse Square
Rockville, MD 20850-2325

Civil Mediation Pre-trial - Cases are sent to volunteer mediators, including some to CRCMC, before the hearing date. This program is provided at no cost to the participants.

Civil Mediation Day of Trial - Volunteer mediators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

Civil Facilitation Pre-trial - Volunteer facilitators assist the participants in trying to resolve their case before the hearing date. This program is provided at no cost to the participants.

Civil Facilitation Day-of-Trial - Volunteer facilitators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

Peace Order Mediation - Cases may be referred to the local community mediation center or to volunteer mediators prior to the second hearing, at the time of the second hearing, or after the second hearing. This program is provided at no cost to the participants.

PRINCE GEORGE'S COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAMS

Linda Morris
Director of Family Division
Circuit Court for Prince George's County
Courthouse, Room 080M
14735 Main Street
Upper Marlboro, MD 20772

301-952-3222
lmorris@co.pg.md.us

James E. Wilson
Associate Director of Assessment and Referral Services
Family Support Services Coordinator
Circuit Court for Prince George's County
14735 Main Street
Upper Marlboro, MD 20772

301-952-3213
jewilson@co.pg.md.us

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. Participants are referred to court-approved mediators for a minimum of two, two-hour sessions. The fee is \$75 per person, per session and fee waivers are available to eligible participants.

Marital Property (Divorce) Mediation - Cases referred to court-approved mediators. The fees are set by the individual mediators.

Emergency Mediation - Court has mediators to provide emergency mediation.

COMMUNITY MEDIATION

Kathy Thornton
Supervisor of Community Mediation Program
Prince George's County Human Relations Commission
1400 McCormick Drive
Suite 245
Largo, MD 20774

301-883-6195
kpthornton@co.pg.md.us

The Prince George's County Human Relations Commission (PGCHRC) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-

based disputes. PGCHRC recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the community level.

DISTRICT COURT

Vanessa Queen
Administrative Assistant
911A Commerce Road
Annapolis, MD 21401

410-260-1676
Fax 410-260-1217

Civil Mediation Pre-trial - Cases are sent to volunteer mediators before the hearing date. This program is provided at no cost to the participants.

Civil Mediation Day of Trial - Volunteer mediators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

QUEEN ANNE'S COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAMS

Shelly Coleman
Family Support Services Coordinator
Circuit Court for Queen Anne's County
100 Court House Square
Centreville, MD 21617-0070

410-758-1773
shelly.coleman@courts.state.md.us

Child Access (Custody/Visitation) Mediation - Many cases involving custody and/or visitation issues are ordered to mediation. The Department of Social Services (DSS) provides a mediation program. The fee is set by DSS and is divided by the participants and paid to DSS. The mediator prepares an agreement and submits it to the court.

COMMUNITY MEDIATION

The nearest community mediation program is in Kent County. Please see Kent County for the contact information. If you want information about starting a community mediation program in Queen Anne's County, please call Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers (MACMC), at 410-349-0080.

DISTRICT COURT

There currently is no ADR program in the District Court in Queen Anne's County.

SOMERSET COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAMS

Karen Brimer 410-651-4618
Family Support Services Coordinator karen.brimer@courts.state.md.us
Circuit Court for Somerset County
P.O. Box 279
Princess Anne, MD 21853

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. Court-approved mediators receive cases on rotating basis. Any parenting agreement reached is submitted to the court. The cost is \$75 per participant for a two hour session. Fee waivers are available for eligible participants.

Marital Property (Divorce) Mediation - Court-approved, private mediators are available. Any agreement may be read into the record at a court hearing

COMMUNITY MEDIATION

The nearest community mediation program is in Wicomico County. Please see Wicomico County for the contact information. If you want information about starting a community mediation program in Somerset County, please call Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers (MACMC), at 410-349-0080.

DISTRICT COURT

There currently is no ADR program in the District Court in Somerset County.

ST. MARY'S COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAMS

Linda J. Grove 301-475-4689
Family Support Services Coordinator linda_grove@co.saint-marys.md.us
Circuit Court for St. Mary's County
P.O. Box 859
Leonardtown, MD 20650

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The Court offers mediation from a list of court-approved mediators. The mediations start as two sessions lasting two hours each. The fee is \$100 per person for a two hour session.

COMMUNITY MEDIATION

John Roberts, Executive Director 301-475-9118
Community Mediation Center of St. Mary's County
P.O. Box 853 st-marys-mediation.org
12 Court House Drive, Rear Entrance
Leonardtown, MD 20650

The Community Mediation Center of St. Mary's County (CMC) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. CMC recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the community level.

DISTRICT COURT

Vanessa Queen
Administrative Assistant
911A Commerce Road
Annapolis, MD 21401

410-260-1676
Fax 410-260-1217

Civil Mediation Pre-trial - Cases are sent to CMC (see above) for mediation before the hearing date. This program is provided at no cost to the participants.

TALBOT COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAM

Patricia Jordan
Family Support Services Coordinator
Circuit Court for Talbot County
11 N. Washington Street
Easton, MD 21601

410-822-3718

patricia.jordan@courts.state.md.us

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The court offers mediation from a list of court-approved mediators. With the court Order, a "mediation packet" is sent to participants describing the process. The fee is \$200 per session and the court proportions the fee between the participants. Fee waivers are available to eligible participants. Usually two sessions are ordered.

Marital Property (Divorce) Mediation - Some cases referred to court-approved mediators for issues of property, alimony, pension, etc. The fees are set by the individual mediators.

COMMUNITY MEDIATION

The nearest community mediation program is in Kent County. Please see Kent County for the contact information. If you want information about starting a community mediation program in Talbot County, please call Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers (MACMC), at 410-349-0080.

DISTRICT COURT

There currently is no ADR program in the District Court in Talbot County.

WASHINGTON COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAM

Tiffany Reiff
Family Support Services Coordinator
Circuit Court for Washington County
24 Summit Avenue, Room 205
Hagerstown, MD 21740

240-313-2580

treiff@safe.quik.com

Child Access (Custody/Visitation) Mediation- All cases involving custody and visitation are reviewed, and some are ordered to mediation. The Court offers mediation from a list of court approved mediators, and that list is available to the public if they choose mediation on their own. The participants pay the going rate for the mediator to whom the case is assigned, however fee waivers are available to eligible participants through the Family Law Fund.

COMMUNITY MEDIATION

Carl G. French, III
Washington County Community Mediation Center
P.O. Box 491
Keedysville, MD 21756

301-432-7712

cgfiii@msn.com

The Washington County Community Mediation Center (WCCMC) offers low-cost mediation services on a sliding scale for a wide variety of inter-personal conflicts, neighborhood-based disputes, and court-related matters. WCCMC recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the court and community level.

DISTRICT COURT

Vanessa Queen
Administrative Assistant
911A Commerce Road
Annapolis, MD 21401

410-260-1676
Fax 410-260-1217

Civil Facilitation Day of Trial - Volunteer facilitators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at facilitation, the trial goes forward. This program is provided at no cost to the participants.

WICOMICO COUNTY

CIRCUIT COURT

FAMILY MEDIATION PROGRAMS

Ellen T. White
Family Support Services Coordinator
Circuit Court for Wicomico County
P.O. Box 886
Fourth Floor, Courts Building
Salisbury, MD 21803-0886

410-548-7107
ellen.white@courts.state.md.us

Child Access (Custody/Visitation) Mediation - Most cases involving custody and/or visitation issues are ordered to mediation. The Court keeps a list of approved mediators. Participants are ordered to attend a minimum of two, two-hour sessions (after taking a parenting seminar). The fee is divided and a fee waiver program is available. The mediator prepares any Parenting Agreement that is reached for each participant to share with their counsel.

Volunteer Attorney Settlement Panel for Property ADR - The court provides mediation for property and financial issues through volunteer attorneys. This service is free.

COMMUNITY MEDIATION

Michelle Ennis Benn
Director of Mediation and Training
Center for Conflict Resolution, Inc.
Salisbury University
1100 Camden Avenue
Salisbury, MD 21801

410-219-2873
vkwhite@salisbury.edu

The Center for Conflict Resolution (CCR) offers free mediation services for a wide variety of inter-personal conflicts and neighborhood-based disputes. CCR recruits and trains volunteers from the community who serve as mediators and represent the diversity of the neighborhoods they serve. The program conducts outreach to help raise awareness of mediation and its uses at the community level.

DISTRICT COURT

Carol McDonald
District Court Clerk's Office
201 Baptist Street
Salisbury, MD 21801-4971

410-543-6600
fax 410-543-6638

Civil Mediation Pre-trial - Cases are sent to local volunteer mediators for mediation before the hearing date. This program is provided at no cost to the participants.

Civil Mediation Day of Trial - Volunteer mediators meet with the participants at the courthouse on the day of trial. Participants do not waive their right to trial. If the case is not resolved at mediation, the trial goes forward. This program is provided at no cost to the participants.

WORCESTER COUNTY

CIRCUIT COURT

CIVIL (NON-FAMILY) MEDIATION PROGRAM

Anne Turner 410-632-5638
Family Support Services Coordinator anne.turner@courts.state.md.us
Circuit Court for Worcester County
1 West Market Street
Courthouse, Room 228
Snow Hill, MD 21863-1082

Civil Mediation Program - The court assigns appropriate civil cases to mediation. Mediations are conducted for the court by a panel of court-approved civil mediators, or, the participants may choose their own mediator if they can agree. The fee is \$100 per participant.

FAMILY MEDIATION PROGRAMS

Anne Turner 410-632-5638
Family Support Services Coordinator anne.turner@courts.state.md.us
Circuit Court for Worcester County
1 West Market Street
Courthouse, Room 228
Snow Hill, MD 21863-1082

Child Access (Custody/Visitation) Mediation - Cases involving custody and/or visitation issues are ordered to mediation, offered by a list of court-approved mediators. The fee is \$75 per person, per session, and a sliding scale fee is available.

Marital Property/Alimony (Divorce) Mediation - Cases involving marital property issues are ordered to mediation, often done in conjunction with custody issues. The fee is \$75 per person, per session, and a sliding scale fee is available.

Pro Se Family Mediation - Mediation for cases where participants do not have attorneys. The fee is \$25 per person, per session, and a sliding scale fee is available.

COMMUNITY MEDIATION

The nearest community mediation program is in Wicomico County. Please see Wicomico County for the contact information. If you want information about starting a community mediation program in Worcester County, please call Nick Beschen, Executive Director of the Maryland Association of Community Mediation Centers (MACMC), at 410-349-0080.

DISTRICT COURT

There currently is no ADR program in the District Court in Worcester County.

**WEB SITES FOR
STATE & NATIONAL MEDIATOR ORGANIZATIONS:**

STATE:

Alternative Dispute Resolution Section, Maryland State Bar Association
www.msba.org/sec_comm/adr/index.htm

Association for Conflict Resolution, Maryland Chapter
www.acresolution.org, then follow to Maryland Chapter information.

Maryland Association of Community Mediation Centers
marylandmediation.org

Maryland Council for Dispute Resolution
www.mcdr.org

Mediation And Conflict Resolution Office (MACRO)
www.courts.state.md.us/macro

People's Law Library
www.peoples-law.org

NATIONAL:

American Arbitration Association
www.adr.org

American Bar Association, Dispute Resolution Section
www.abanet.org/dispute/home.html

American College of Civil Trial Mediators
www.acctm.org

Association for Conflict Resolution
www.acresolution.org

Association of Family and Conciliation Courts
(Association of Family, Court, and Community Professionals)
www.afccnet.org

Center for Analysis of ADR Systems
www.caadsr.org

CPR Institute for Dispute Resolution
www.cpradr.org

Institute for the Study of Conflict Transformation
www.transformativemediation.org

International Academy of Mediators
www.iamed.org

Mediate.com
www.mediate.com

National Association for Community Mediation
www.nafcm.org

Policy Consensus Initiative
www.policyconsensus.org

MEDIATION IN MARYLAND

Mediation has grown in Maryland over the past 10 years. The kinds of disputes that can be mediated are very diverse. The following is just a small sample:

- Neighborhood disputes
- Family disputes
- Discrimination claims
- Some misdemeanor crime complaints
- Custody, visitation, marital property disputes
- School-based disputes
- Conflict over special education services
- Business disputes
- Court cases
- Employment and workplace disputes

Mediation in the Courts

The use of mediation has grown substantially in Maryland's courts. The services offered vary in each county and in Baltimore City.

The District Court is a statewide court that hears civil cases involving disputes of less than \$25,000. It also hears some lesser criminal matters, traffic cases, and landlord/tenant cases. The District Court programs in many counties and in Baltimore City offer free mediation for civil small claim cases.

There is one *Circuit Court* in each county and in Baltimore City. Circuit Courts generally hear civil cases with disputes of more than \$25,000, family cases, and more serious criminal matters. Many of the circuit courts refer cases to mediation and set fees for mediation services. Some circuit courts offer mediation services that are provided free, or at reduced rates, depending on the eligibility of the participant(s).

MACRO sponsored scientific research which indicated that court cases referred to mediation are resolved earlier and more cost effectively than cases not referred to mediation. Taking a lawsuit to trial can be expensive, time consuming, and unpredictable. For these reasons, approximately 95% of all civil cases filed settle before trial, but often after the participants have expended a great deal of time and money and suffered the delays and hostility that ultimately can destroy the relationship between the participants.

Mediation allows the participants to search for a satisfactory settlement before expending unnecessary resources. One of the key advantages of mediation is that it is a collaborative, not adversarial, process. People in a conflict work together to find a solution, instead of spending their time and money fighting to win a victory by defeating their opponent.

When is mediation *NOT* appropriate?

Certain disputes, however, need to be heard by a court. If you are trying to create or change a law, to have a public airing of a complaint, to address serious criminal matters, to set precedent or challenge a precedent established by a prior lawsuit, mediation is not appropriate.

Many people in the legal and mediation fields believe cases involving **domestic violence** issues are not appropriate for mediation. The mediation process presumes that, with the help of the mediator, the participants can negotiate without fear of retaliation, which may not be possible in relationships that have involved a history of domestic violence. As such, in the Maryland Rules of Procedure, Rule 9-205(b)(2) states that the court shall not order mediation in cases where physical or sexual abuse has been alleged in good faith.

Mediation in the Community

Community Mediation Centers are located throughout the state. All provide mediation services at the community level, regardless of participants' ability to pay, making mediation accessible to any member of the community. Some have developed strong referral relationships with courts, police, juvenile justice agencies, private sector ADR service providers, and other groups. Community Mediation strives to:

- (1) train community members--who reflect the community's diversity with regard to age, race, gender, ethnicity, income and education--to serve as volunteer mediators;
- (2) provide mediation services at no cost or on a sliding scale;
- (3) hold mediation sessions in the communities where the disputes occur;
- (4) schedule mediation sessions at a time and place convenient to the participants;
- (5) encourage early use of mediation to prevent violence or to reduce the need for court intervention, as well as provide mediation at any stage in a dispute;
- (6) mediate community-based disputes that come from referral sources including self-referrals, police, courts, community organizations, civic groups, religious institutions, government agencies and others;
- (7) educate community members about conflict resolution and mediation;
- (8) maintain high quality mediators by providing intensive skills-based training, apprenticeships, continuing education and ongoing evaluation of volunteer mediators;
- (9) work with the community in governing community mediation programs in a manner that is based on collaborative problem solving among staff, volunteers and community members;

Community Mediation is effective at resolving a wide variety of community-based disputes.

Mediation in Governmental Agencies

Many federal and state agencies also provide free or reduced cost mediation services within their programs. Examples include the Consumers' Protection Division of the Attorney General's Office, the Maryland Commission on Human Relations, the Equal Employment Opportunity Commission, and the Office of Administrative Hearings.

How Does the Mediation Process Work?

Certain general elements are involved in most mediations:

Convening: The participants need a way to get to the table. Any participant can ask for a dispute to be mediated. If a participant doesn't want to contact the other participant(s), then a mediator can be asked to contact the others and invite them to mediation. Sometimes, the court will send cases to mediation, and it assigns a mediator to the case. If a mediator is to be hired by the participants, then all must agree on who the mediator will be. It is vital that all participants trust the neutrality and competence of the chosen mediator.

Introduction: The mediator may open a session by describing the process, the ethical duties of neutrality and confidentiality, and the fact that a mediator does not provide advice, direct the participants what to do, or make any decisions. The participants are reminded that nothing is binding in the mediation until it is reduced to writing and signed by all participants. The participants are encouraged to have their attorneys, if they are represented, review any agreement before it is signed.

Information Gathering: Mediators ask questions and give the participants the chance to speak their minds and express their views in a safe environment. The participants have the opportunity to talk to each other and to the mediator.

Issue Identification: The mediator may help the participants identify and clarify the main issues in dispute, as well as the needs and interests of everyone affected by the dispute. The participants ultimately decide what issues to mediate.

Generating Solutions: Mediation encourages creative problem solving by the participants. As neutrals, mediators will help the participants try to find workable solutions. The mediator may also call a "caucus," which is when each side to the dispute meets separately, and confidentially, with the mediator.

Agreement: At the close of the mediation, the mediator, or the participants' attorneys, if any, may record the participants' agreement in writing. In doing so, mediators act as scribes, recording the participants' agreement using the participants' words. They do not draft legal agreements. If the mediator writes down the agreement, then the participants will be given the chance to have their legal counsel, if any, review the agreement prior to signing. A signed agreement may be enforceable as a contract. If a case is pending in court, the agreement can be entered into a court order by the judge dismissing the case, or incorporated into a judgment by agreement of the participants.

Here are some frequently asked questions and answers concerning mediation:

(Source: Peoples Law Library)

What is the difference between Attorneys and Mediators?

In many instances a mediator may be an attorney, just not your attorney. Mediators and attorneys have different roles.

Attorneys represent the interests of their clients and advise them on the best way to present their case. Attorneys may discuss what could happen in court.

A mediator does not give legal advice or recommend the terms of an agreement. A mediator does not represent either side of a dispute, even if the mediator is also an attorney. Mediators assist people in conflict to communicate with each other and resolve conflict. In mediation you may speak for yourself rather than having a lawyer speak for you.

What can mediation give me that litigation cannot?

(This section is based upon the work of an experienced family law lawyer, Sue M. Talia, in her recent book, "How to Avoid the Divorce From Hell")

Privacy - Courts are very public places and court documents are public as well. It is relatively rare to have a closed hearing or sealed court documents. Mediation, by contrast, involves closed proceedings, which offer the benefit of keeping your personal and financial affairs out of public view. A final agreement, however, if made part of a court order will be a public document.

Creativity - Due to the nature of our legal system, judges must follow certain rules when deciding cases. The types of relief (solutions) that a judge can order as the result of litigation are limited. As family law attorney Talia notes, "The truth is that on your worst day, you and your spouse can probably think of several better and more creative approaches to your problem than a judge is likely to impose."

This isn't because judges can't think creatively - most judges would probably love to find the ideal solution to your problem. But some of the best solutions aren't available to a judge who must follow the written law and what other judges have decided. The flexibility you have to reach your own result is one of the greatest benefits of choosing mediation.

Fewer Costs - The role a consulting attorney plays in mediation is very different from litigation. Important steps, like the investigation and sharing of evidence, are more informal. This reduces the cost and complexity of a case. Consulting attorneys advise you about your legal rights and the consequences of mediated agreements. Some estimate that the cost of mediation can be from one-third to one-half that of litigation. This can be particularly important in a case, such as divorce, where the costs of resolving the dispute are likely to be drawn from shared assets.

Faster Results - The formal procedures lawyers undertake in litigation are not only costly, they also take time. Built-in time delays can be kept to a minimum by informally sharing information. You can set the pace for the proceedings, rather than relying on a court, and mediators can take more time to handle your case than judges.

Collaborative instead of adversarial – The combative hostility of litigation is not present in the mediation process. The participants work together to find a reasonable solution to the problem. The participants are not hampered with strict rules of evidence, and are free to look for creative solutions.

Does this mean that mediation is always the answer? No, however mediation is generally worth exploring, and the satisfaction rate among users exceeds 95%. Many people who mediate their case and do not obtain a settlement still are glad they mediated the case, and are sometime able to narrow issues, or cooperate more during the litigation process.

Choosing a Qualified Mediator - Some questions to ask

Mediation can help you resolve conflicts and can be custom designed to serve all participants' needs. Mediation may also help you and the other participant(s) understand each other's points of view. Regardless of the mediator or mediation program you use, you may wish to interview the mediator first, by telephone, and ask several questions.

Do you specialize in mediating any particular subject matter?

It is important to note that mediators often concentrate in particular kinds of

disputes. There are some mediators, for example, who primarily mediate divorce cases or child custody disputes. Others, particularly those at community mediation centers, have extensive experience in mediating neighbor to neighbor issues. There are mediators who focus on business issues, such as contract disputes and others who have a particular interest in environmental mediation, for example.

What kind(s) of training have you had, and when was it?

Most mediators have taken at least 40 hours of basic mediation training. Some have taken more than that and others will have taken additional training in advanced techniques or specialized subject areas. You may want to ask the mediator if she has taken any specialized training that fits the type of dispute in which you are involved. However, training alone does not guarantee a skilled mediator.

What kind and how much mediation experience do you have? How many cases have you mediated? Were the cases privately referred or part of a mediation program?

Asking about a mediator's experience may also help you determine if you are hiring a skilled mediator. You may want to ask the mediator how many mediations she has mediated, the kinds of cases they were, and the average length of those mediations. You can also ask if the mediator or mediation program has handled similar disputes to yours, and if so, what were the results?

Other than as a mediator, tell me about your background or other jobs you have had?

Mediators may have very diverse backgrounds, and having a certain background does not guarantee a skilled mediator. Some may have backgrounds as attorneys, social workers, teachers, mental health professionals. Others may not have a specific professional background. You might choose a mediator because she has a specific background, or because she does NOT have a specific background.

What is your approach to mediation or mediation philosophy?

You can also ask a mediator about her approach to mediation, or her mediation style. You can also ask if she belongs to any professional organizations and what, if any, standards of practice she adheres to in her practice or program.

Can you give me any references?

You may want to ask for references - past clients who have used their services. Because mediation as a process has a confidential component to it, some mediators simply may not be able to provide you with references.

Are you a licensed or certified mediator?

In Maryland, there is no statewide certification or licensing for mediators, nor

is there a test to take, or required course work, although some mediation programs have their own requirements. For example, the circuit courts require their mediators to have a certain amount of training and to subscribe to their Standards of Practice, listed in this directory on page 57. Community mediation programs also require their mediators to have a standardized training and to be in their apprenticeship program. Some training programs issue certificates upon completion of the program. These certificates merely indicate that the person attended the training course. They do not equate to “certification” in Maryland. While some mediators may be certified by a statewide membership organization, the State has no certification program of its own. If a mediator identifies himself or herself as a certified mediator, ask about that certification.

Where to find a Mediator - There are several ways to find a mediator:

Check the Web. A new on-line searchable directory will be available in Fall, 2003. Go to www.peoples-law.org. The Peoples Law Library (PLL) is a Maryland legal information and self-help website supported by Maryland’s 28 non-profit legal service providers, in partnership with the courts, and is offered as a service to the public. PLL is a project of the Maryland Legal Assistance Network (MLAN), a program of the Maryland Legal Services Corporation.

Let your fingers do the walking. Check your local telephone directory’s yellow pages under *Mediator* and contact any mediators listed in order to determine fees and other information. (See above for helpful tips for your telephone interview.)

Check out your community. Another source of mediation is through community mediation centers. There are fifteen community mediation centers in Maryland which mediate certain kinds of disputes at no or low cost. The kinds of disputes which the centers mediate include neighbor-to-neighbor conflicts and other issues. If there isn’t a community mediation center in your county, you can go to one in a neighboring county. If you want information about starting a community mediation program, please call Nick Beschen, Executive Director, Maryland Association of Community Mediation Centers, at 410-349-0080.

Connect with the court. Most of the local Circuit Courts in Maryland have approved mediator lists for cases which the court may choose to refer to mediation. You may go to the Clerk’s Office of the nearest Circuit Court and ask to review the list and the application materials of the approved mediators for that court. From the application forms, you can ascertain the training, background and level of experience of each of those mediators.

Search the state. Another source is a statewide Directory of Maryland Dispute Resolution Professionals compiled and printed by the Center for Dispute Resolution at the University of Maryland School of Law (C-DRUM). The Directory, while not guaranteeing the quality of the mediators listed, includes a short self-description of each mediator’s areas of experience and interest. The Directory also includes names of arbitrators, trainers and other conflict resolution specialists. The Directory was last updated in 1999. For a printed copy of the directory, please call MACRO at 410-321-2398. A new updated searchable online version of the directory is on the People’s Law Library website, as described under “Check the Web.”

**STANDARDS OF PRACTICE FOR MEDIATORS
IN CIRCUIT COURT CASES IN MARYLAND**

The Court of Appeals of Maryland has adopted the following Standards of Practice for mediators and other ADR practitioners for circuit court cases. The version below only contains the standards for mediators. For a version that includes non-mediator ADR practitioners, call MACRO at 410-321-2398, or go to www.courts.state.md.us/macro. While these Standards of Practice are not mandatory in mediations other than circuit court cases, many practitioners do follow them.

Preface

These Standards of Conduct for ADR practitioners are intended to perform three major functions: to serve as a guide for the conduct of ADR practitioners; to inform the participants involved in ADR processes; and to promote public confidence in ADR processes as a means for resolving disputes or addressing issues. The Standards draw on existing codes of conduct and take into account issues and problems that have surfaced in ADR practice.

All ADR practitioners may be referred to by the term “neutrals,” and comments that mention “neutrals,” absent a key code, refer to all ADR practitioners. In these cases, neutrals are expected to uphold the applicable standards of each process in which they engage. Although a neutral should not perform more than one ADR process at a time, a neutral may be engaged to perform more than one ADR process sequentially (such as med/arb, which utilizes mediation, followed by arbitration if the mediation is unsuccessful).

Standards of Conduct

I. Self-Determination: A Neutral shall Recognize that Arbitration, Fact Finding, Mediation, Neutral Evaluation and Settlement Conferencing are Based on the Principle of Self-Determination by the Participants.

Self-determination is the fundamental principle of mediation and it plays a more circumscribed role in other consensus-based ADR processes. In mediation, this principle requires that the mediation process rely upon the ability of the participants to reach their own voluntary, uncoerced agreement. Any participant may withdraw from mediation at any time.

Comments:

The primary role of the mediator is to facilitate a voluntary resolution of a dispute. Before commencing, the mediator is responsible for explaining the process to the participants. A mediator may provide information without giving legal or other professional advice, ask questions, identify issues, and help participants explore options.

A mediator cannot personally ensure that each participant has made a fully informed choice to reach a particular agreement, but a mediator should make the participants aware of the importance of consulting lawyers and other professionals, where appropriate, to help them make informed decisions and review contracts of agreements.

A mediator should be aware of power dynamics and assess whether a participant may be experiencing coercion. When mediators perceive that coercion may exist, they should explore the issue in private with the participant who may be experiencing coercion or end the mediation if there is an imminent safety concern.

II. Impartiality: A Neutral shall Conduct the ADR Process in an Impartial Manner.

The concept of impartiality is central to all ADR processes. Neutrals shall handle only those matters in which they can remain impartial. If at any time neutrals are unable to conduct the process in an impartial manner, they are obligated to withdraw.

Comments:

A neutral shall avoid conduct that gives the appearance of partiality toward

one of the participants. The quality of the process is enhanced when the participants have confidence in the impartiality of the neutral.

When neutrals are appointed by a court or institution, the appointing agency shall make reasonable efforts to ensure that neutrals serve impartially.

A neutral should guard against partiality or prejudice based on the participants' personal characteristics, background or behavior during the ADR process, except where these factors are relevant to recommendations or conclusions that non-mediator ADR practitioners are asked to provide.

III. Conflicts of Interest: Neutrals shall Disclose all Actual and Potential Conflicts of Interest Reasonably Known to Them. After Disclosure, Neutrals shall Decline to Participate unless all Participants Choose to Retain Them. The Need to Protect Against Conflicts of Interest also Governs Conduct that Occurs During and After the ADR Proceeding.

A conflict of interest is a dealing or relationship that creates or might create an impression of possible bias. The basic approach to questions of conflict of interest is consistent with the concept of self-determination. Neutrals have a responsibility to disclose all actual and potential conflicts that are reasonably known to them and could reasonably be seen as raising questions about impartiality. If all participants agree to participate in the ADR process after being informed of conflicts, the neutral may proceed. If, however, the conflict of interest casts serious doubt on the integrity of the process, the neutral shall decline to proceed. Neutrals must avoid conflicts of interest both during and after the ADR process, such as representing one participant against the other participant in an adversarial proceeding

Comments:

Potential conflicts of interest may arise between administrators of ADR programs and neutrals, and there may be strong pressures on the neutrals to settle a particular case or cases. A neutral's commitment must be to the participants and the process. Pressure from outside of the process should never influence the neutral to coerce participants to settle.

While neutrals may recommend the services of other professionals, neutrals shall avoid conflicts of interest when making such recommendations.

IV. Competence: Neutrals shall Provide Services Only When They have the Necessary Qualifications to Satisfy the Reasonable Expectations of the Participants.

Subject to the requirements of any statute or Maryland rule, any person may be selected as a neutral, provided that the participants are satisfied with their qualifications. Training and experience, however, are often necessary. Persons who offer themselves as neutrals give participants and the public an expectation that they have the competency to conduct their ADR processes effectively. In court-connected or any form of mandated ADR, it is essential that neutrals assigned to the participants have the requisite training and experience.

Comments:

Neutrals should have information available for the participants regarding their relevant training, education and experience.

When neutrals are appointed by a court or institution, the appointing agency shall make reasonable efforts to ensure that each neutral is qualified for the particular ADR process.

V. Confidentiality: A neutral shall maintain confidentiality with certain limited exceptions.

A neutral shall maintain confidentiality, with certain limited exceptions. Depending upon the ADR process being used, the degree of confidentiality a neutral must maintain may be subject to rules, agreements, statutory obligations, and court orders.

As required by Maryland Rule 17-109, a mediator, and anyone attending the mediation at the request of a mediator, shall maintain the confidentiality of all mediation communications, which include speech, writing, or conduct made as part of a mediation, including those communications made for the purpose of considering, initiating, continuing, or reconvening a mediation or retaining a mediator. A mediator, and anyone attending the mediation at the request of a mediator, may not disclose or be compelled to disclose mediation communications in any judicial, administrative or other proceedings.

In addition to any disclosures required by law, mediators may disclose or report mediation communications to a potential victim or to the appropriate authorities to the extent that they believe it necessary to help:

- (1) Prevent serious bodily harm or death; or

(2) Allege mediator misconduct or defend a mediator against allegations of misconduct.

A mediator may report, if required by a court or other referral source, whether the mediation session took place and whether an agreement was reached.

Mediation communications are not subject to discovery, but information otherwise admissible or subject to discovery does not become inadmissible or protected from disclosure solely by reason of its use in mediation.

A document that reduces to writing an agreement signed by the participants as a result of mediation is not confidential, unless the participants agree in writing otherwise.

Comments:

Since the participants' expectations regarding confidentiality of the process and the written results of the process are important, the neutral should discuss these expectations with the participants at the beginning of the process.

If the neutral holds private sessions with a participant, the nature of these sessions with regard to confidentiality should be discussed prior to undertaking such sessions.

In order to protect the integrity of the ADR process, a neutral should not communicate information about the participants, their behavior, the merits of their case or settlement offers to the court or other referral source.

Confidentiality should not be construed to prohibit the effective monitoring, research, or evaluation of ADR programs by responsible persons. Under appropriate circumstances, researchers may be permitted to obtain access to statistical data and, with the permission of the participants, to individual case files, observations, and interviews with participants.

A neutral cannot ensure the confidentiality of statements participants make to each other or to third persons.

VI. Quality of the Process: A Neutral shall Conduct the Process Fairly, Diligently, and in a Manner Consistent with the Principle of Self-Determination by the Participants.

A neutral shall work to ensure a quality process and to encourage mutual

respect among the participants. A quality process requires a commitment by the neutral to diligence and procedural fairness. There should be adequate opportunity for each participant to participate in the discussions. The participants decide when and under what conditions they will reach an agreement, be bound by an arbitration award or terminate a neutral.

Comments:

One of the primary purposes of a mediation is to facilitate the participants' voluntary agreement. This role differs substantially from other professional-client relationships. Mixing the role of a mediator and the role of a professional advising a client is problematic, so mediators must distinguish between the roles. A mediator should, therefore, refrain from providing professional advice.

A mediator may withdraw from a mediation that will result in an illegal or unconscionable agreement.

Mediators and settlement conference facilitators should not be guided by a desire for a high settlement rate.

Neutrals may agree to conduct an ADR process only when they are prepared to commit the attention essential to an effective process.

Neutrals accepting matters for an ADR process should satisfy the reasonable expectations of the participants concerning the timing of the process. A neutral should not allow a process to be unduly delayed by participants or their representatives.

The presence or absence of persons depends on the agreement of the participants and the neutral. The participants and neutral may agree that others may be excluded from particular sessions or from the entire process.

A neutral shall withdraw from an ADR process when incapable of serving or when unable to remain impartial.

A neutral may withdraw from an ADR process or postpone a session if the process is being used to further illegal or unconscionable conduct, or if a participant is unable to participate due to drug, alcohol, or other physical or mental incapacity.

VII. Advertising and Solicitation: A Neutral shall be Truthful in Advertising and Solicitation.

Advertising or any other communication with the public concerning services offered or regarding the education, training, and expertise of the neutral shall be truthful. Neutrals shall refrain from promises and guarantees of results.

Comments:

It is imperative that communications with the public educate and instill confidence in ADR processes.

In an advertisement or other communication to the public, a neutral may make reference to meeting state, national, or private organizations qualifications, only if the entity referred to has a procedure for qualifying neutrals and the neutral has been duly granted the requisite status.

VIII. Fees: A Neutral shall fully Disclose and Explain the Basis of Compensation, Fees, and Charges to the Participants.

The participants should be provided sufficient information about fees at the outset of an ADR process to determine if they wish to retain the services of a neutral. If a neutral charges fees, the fees shall be reasonable, considering among other things, the service provided, the type and complexity of the matter, the expertise of the neutral, the time required, and the rates customary in the community. In a circuit court referred case, fees may not exceed the maximum allowed by court order. For clarity, a neutral should set down the fee arrangements in a written agreement.

Comments:

A neutral who withdraws from an ADR process should return any unearned fees to the participants.

A neutral should not enter into a fee agreement which is contingent upon the result of the process or amount of the settlement.

Co-neutrals who share a fee should hold to standards of reasonableness in determining the allocation of fees.

While neutrals may refer cases to other ADR practitioners and to other types of service providers, a neutral should not accept a fee for referral of a matter to another neutral or to any other person. This prohibition does not apply to ADR service providers who subcontract with other ADR practitioners or who employ other ADR practitioners.

IX. Obligations to the Process: Neutrals have a Duty to Improve their Skills and Advance the ADR Field.

Comment:

Neutrals are regarded as knowledgeable in the ADR field, and they have an obligation to use their knowledge to help educate the public about ADR, to make ADR accessible to those who would like to use it, to correct abuses, and to improve their professional skills and abilities.

For More Information: Copies of this document, the ADR Commission's Practical Action Plan, requisite Court Rules, and other information regarding ADR in Maryland can be obtained by calling the Maryland Mediation and Conflict Resolution Office (MACRO) at 410-321-2398 or by visiting MACRO's website at www.courts.state.md.us/adr.html.

Definitions and Descriptions of Conflict Resolution Terms and Processes

Alternative Dispute Resolution (ADR) - the process of resolving matters either in pending litigation or prior to litigation, through a settlement conference, neutral case evaluation, neutral fact finding, arbitration, mediation, as well as other “alternative” ways of resolving disputes without using violence or going through trial.

Arbitration - a process in which (1) the people in a dispute appear before one or more impartial arbitrators and present evidence and argument supporting their respective positions, and (2) the arbitrators render a decision in the form of an “arbitration award.” Arbitration is generally “binding” which means that the participants must abide by the arbitrator’s decision, however, the participants can agree prior to the hearing that the decision will be “non-binding.”

Community Conferencing - a multi-party process in which all of the people affected by behavior or conflict that has caused harm to them are convened for a meeting to have a conversation about that situation. The goal of the conference is to create an agreement which will repair the harm. During the conference, all participants have an opportunity to discuss what happened, how they were affected, and how the harm can best be repaired. This process is used in conflicts involving large numbers of people.

Consensus Building - a process generally used to prevent or resolve disputes and/or to facilitate decision making, often within a multi-party dispute, group process or public policy making process. In consensus building processes, one or more neutral facilitators may identify and convene all stakeholders or their representatives, and use techniques to build trust, open communication, and enable all parties to develop options and determine mutually acceptable solutions. Consensus building resembles mediation because the process is about people making their own decisions, opening lines of communication, and developing agreements that everyone can support. Consensus building differs from mediation because it usually involves a larger group of people and is generally used to prevent or resolve disputes about public policy or other complex issues involving several parties.

Notes

Mediation - a process in which the people in a dispute work with one or more impartial mediators who, without providing legal advice, assist the parties in reaching their own voluntary agreement for the resolution of the dispute or issues in the dispute. A mediator may help the parties identify issues and options, assist the parties or their attorneys in exploring the needs underlying their respective positions, and, upon request, record points of agreement reached by the parties. In the course of mediation, the mediator does not engage in arbitration, neutral case evaluation, neutral fact-finding, or other alternative dispute resolution processes and does not recommend the terms of an agreement. Mediation helps people speak for themselves, rebuild their relationships, and if possible, find lasting solutions to their disputes.

Negotiation - a process where two or more people confer on a matter in an attempt to reach an agreement about a particular issue or issues.

Neutral Case Evaluation - a process in which (1) people in a dispute appear before an impartial person and present in summary fashion the evidence and arguments supporting their respective positions, and (2) the impartial person renders an evaluation of their positions and an opinion as to the likely outcome of the dispute or issues in the dispute if the action were tried. The neutral person usually has substantial knowledge or experience with issues involved in the dispute. This person's opinion about how the court might decide the dispute helps people determine appropriate out-of-court settlements.

Settlement Conference - a conference at which the people in a dispute in court appear before an impartial person in an attempt to resolve the dispute or issues in the dispute by agreement or by means other than trial. A settlement conference may include neutral case evaluation and neutral fact-finding, and the impartial person may recommend the terms of an agreement. The settlement conference facilitator is usually a judge or experienced lawyer who can give informed opinions about how the court might decide the case, discuss how similar cases have been settled, provide advice and suggest agreements.

The Consumers' Guide to Mediation in Maryland

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